

Senate Study Bill 3156 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON HOGG)

A BILL FOR

1 An Act relating to the imposition of a term of parole or work
2 release for forcible felons, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 901.5, Code 2014, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 15. In addition to any other sentence or
4 other penalty imposed against a defendant for commission of a
5 forcible felony as defined in section 702.11, the court may
6 impose a term of parole or work release for a forcible felon
7 pursuant to section 902.9, subsection 1, paragraph "f", if
8 the court determines that a term of mandatory parole or work
9 release of up to two years would provide maximum opportunity
10 for the rehabilitation of the defendant, and for the protection
11 of the community from further offenses by the defendant.

12 Sec. 2. Section 902.9, subsection 1, Code 2014, is amended
13 by adding the following new paragraph:

14 NEW PARAGRAPH. f. A person sentenced for a forcible felony
15 as defined in section 702.11 shall be confined for no longer
16 than is authorized by law and may be placed on mandatory parole
17 or work release for up to two years in accordance with the
18 sentencing conditions of section 901.5, subsection 15. The
19 parole or work release shall commence upon completion of the
20 sentence imposed under any applicable criminal sentencing
21 provisions for the underlying criminal offense.

22 Sec. 3. Section 906.4, subsection 2, Code 2014, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. c. A person serving a sentence for a
25 forcible felony as defined in section 702.11 may be placed on
26 mandatory parole or work release for up to two years pursuant
27 to section 902.9, subsection 1, paragraph "f". Violations of
28 mandatory parole or work release shall be subject to the same
29 set of procedures set out in chapters 901B, 905, 906, and 908,
30 and rules adopted under those chapters for persons on parole or
31 work release.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 This bill relates to the discretionary imposition by

1 the court of a term of mandatory parole or work release for
2 forcible felons.

3 Under the bill, a person serving a sentence for a forcible
4 felony as defined in Code section 702.11 may be placed on
5 parole or work release for up to two years, if the court
6 determines that a term of mandatory parole or work release
7 would provide maximum opportunity for the rehabilitation of the
8 defendant, and for the protection of the community from further
9 offenses by the defendant. The bill requires the parole or
10 work release to commence upon completion of the sentence
11 imposed under any applicable criminal sentencing provisions
12 for the underlying criminal offense. Violations of mandatory
13 parole or work release under the bill shall be subject to the
14 same set of procedures set out in Code chapters 901B, 905,
15 906, and 908, and rules adopted under those Code chapters for
16 persons on parole or work release.